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3 UNITED STATES DISTRICT COURT
4 EASTERN DISTRICT OF CALIFORNIA
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6 KELLYE ANNE HUIZAR,

7 Plaintiff,

8 v.

9 ANDREW SAUL, Commissioner of Social
10 Security,

11 Defendant.
12

CASE NUMBER: 1:20-cv-01377-GSA

**ORDER DIRECTING DEFENDANT
TO CLARIFY THE NATURE OF THE
STIPULATED EXTENSION**

13 On June 21, 2021, Defendant filed a stipulation and proposed order for an extension of time
14 from June 21 to July 5 to serve his responsive letter brief. Doc. 17. This was the first extension
15 sought by either party in this matter.

16 Pursuant to the scheduling order, “the court will allow a single thirty (30) day extension of
17 any part of this scheduling order by stipulation of the parties. *Court approval is not required for*
18 *this extension*. However, the stipulation shall be filed with the court.” ECF No. 5 at 3 (emphasis
19 added). If that was the basis for Defendant’s extension, the stipulation should so specify and should
20 omit the corresponding proposed order as court approval is not required. If that was not the basis
21 for the extension, the stipulation should take the form of a motion (specifying whether the motion
22 is unopposed) and should set forth good cause for the request. *See* ECF No. 5 at 3 (“Request for
23 modification of this briefing schedule will not routinely be granted . . . With the exception of the
24 single thirty-day extension, requests to modify this order must be made by written motion and will
25 be granted only for good cause.”).

26 Accordingly, within 7 days of the entry of this order Defendant is **DIRECTED** to do one
27 of the following: 1) file an amended stipulation citing the above provision of the scheduling order
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1 and omitting the attached proposed order, 2) file a motion substantiating the requested extension,
2 or 3) serve the responsive letter brief and file a proof of service with the court.

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5 IT IS SO ORDERED.

6 Dated: June 22, 2021

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE